

VIRGINIA:

BK 1098PG0446

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

SUPPLEMENTAL ORDER REGARDING DOCKET NUMBER  
VGOB 08-0819-2291

ELECTIONS: UNIT AX-133  
(herein Subject Drilling Unit)

TAX MAP IDENTIFICATION NUMBERS:

Tax map identification numbers for all parcels affected by this order are shown on Exhibit marked "Tract Identifications" which is attached to and a part of this order.

REPORT OF BOARD

FINDINGS AND ORDER

This Supplemental Order is entered by the Board *sua sponte* in the form authorized by the Board at hearings held on February 15, 1994 and June 16, 1992; and this Supplemental Order is being recorded for the purpose of supplementing the Order previously in the captioned matter on November 4, 2009, which was recorded at Deed Book 1067, Page 829 in the Office of the Clerk of the Circuit Court of Tazewell County, Virginia, on December, 18, 2009, (herein "Board Order") and completing the record regarding elections.

Findings: The Board finds that:

The Board Order directed CNX GAS COMPANY LLC (herein "Designated Operator") to mail copies of the Board Order to all Respondents whose interests, if any, were pooled by the said Board Order;

The Designated Operator filed its affidavit of elections disclosing that it had mailed a true and correct copy of the Board's Order to all Respondents whose interests, if any, were pooled by said Board Order;

The Board Order required each Respondent whose interests, if any, were pooled by the terms of said Board Order to make an election within thirty (30) days after the date of mailing or recording, as applicable, of said Order; the affidavit of elections filed herein and annexed hereto as Exhibit A states: (i) whether each Respondent has made or failed to make a timely election; (ii) the nature of any election(s) made; and (iii) whether, by reason of a failure to elect or to timely elect one or more Respondents are deemed, under the terms of the Board's Order, to have leased all their rights, title, interests, estates and claims in Subject Drilling Unit to the Applicant;

That the affidavit of elections annexed hereto with the Exhibits submitted therewith identifies the Respondent(s) making a timely election, if any; identifies the Respondent(s), if any, who are deemed to have leased; identifies the conflicting interests and claims which require escrow; identifies the interests and claims, if any, requiring escrow under Virginia Code section 45.1-361.21.D.; and identifies the Respondents, if any, who may be dismissed by reason of having leased or entered into a voluntary agreement with the Applicant.

The affidavit of elections indicates whether or not the escrow of funds is required with regard to Unit AX-133;

Order: By this Order, the Board orders the Designated Operator to tender, consistent with and in accordance with the findings set forth at paragraph 2. above and the annexed affidavit of elections with Exhibits thereto, any funds subject to escrow and instructs the Escrow Agent, First Bank & Trust Company PO Box 3860 Kingsport, TN 37664, Attn: Debbie Davis or any successor named by the Board to establish interest bearing escrow account(s), IRS Tax Identification Number 54-1629506, in accordance with the information set forth in the affidavit of elections with Exhibits thereto, to receive funds and account to the Board therefore.

BK 1098 PG 0447

Mailing of Order and Filing of Affidavit: The Designated Operator under the captioned Order or shall file an affidavit with the Secretary of the Board within ten (10) days after the date of receipt of this Order stating that a true and correct copy of this Order was mailed to each Respondent whose interests or claims are subject to escrow and whose address is known within seven (7) days from the date of receipt of this Order.

Conclusion: Therefore, the findings and all terms and provisions set forth above be and hereby are granted and IT IS SO ORDERED.

Effective Date: This Order shall be effective on the date of its execution.

DONE AND EXECUTED this 14 day of July, 2011, by a majority of the Virginia Gas and Oil Board.

Bradley C. Lambert  
Chairman, Bradley C. Lambert

DONE AND PERFORMED this 14<sup>th</sup> day of July, 2011, by Order of the Board.

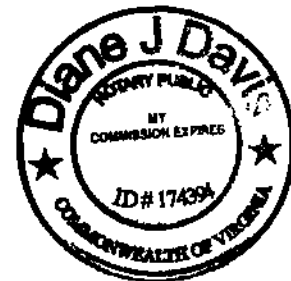
Rick Cooper  
Rick Cooper  
(Acting) Principal Executive to the Staff, Virginia Gas and Oil Board

STATE OF VIRGINIA  
COUNTY OF RUSSELL

Acknowledged on this 14<sup>th</sup> day of July, 2011, personally before me a notary public in and for the Commonwealth of Virginia, appeared Bradley C. Lambert, being duly sworn did depose and say that he is Chairman of the Virginia Gas and Oil Board, and appeared Rick Cooper, being duly sworn did depose and say that he is Acting Principal Executive to the Staff of the Virginia Gas and Oil Board that they executed the same and were authorized to do so.

Diane J. Davis  
Diane Davis, Notary Public  
174394

My commission expires: September 30, 2013



BK 1098PG0449

Mailing of Order and Filing of Affidavit: The Designated Operator under the captioned Order or shall file an affidavit with the Secretary of the Board within ten (10) days after the date of receipt of this Order stating that a true and correct copy of this Order was mailed to each Respondent whose interests or claims are subject to escrow and whose address is known within seven (7) days from the date of receipt of this Order.

Conclusion: Therefore, the findings and all terms and provisions set forth above be and hereby are granted and IT IS SO ORDERED.

Effective Date: This Order shall be effective on the date of its execution.

DONE AND EXECUTED this \_\_\_\_ day of \_\_\_\_\_, 2011, by a majority of the Virginia Gas and Oil Board.

\_\_\_\_\_  
Chairman, Bradley C. Lambert

DONE AND PERFORMED THIS \_\_\_\_ day of \_\_\_\_\_, 2011, by Order of the Board.

\_\_\_\_\_  
David E. Asbury, Jr.,  
Principal Executive to the Staff of the Board

STATE OF VIRGINIA  
COUNTY OF RUSSELL

Acknowledged on this \_\_\_\_ day of \_\_\_\_\_, 2011, personally before me a notary public in and for the Commonwealth of Virginia, appeared Bradley C. Lambert, being duly sworn did depose and say that he is Chairman of the Virginia Gas and Oil Board, and appeared David E. Asbury Jr., being duly sworn did depose and say that he is Principal Executive to the Staff of the Virginia Gas and Oil Board that they executed the same and were authorized to do so.

\_\_\_\_\_  
Diane J. Davis, Notary  
174394

My commission expires: September 30, 2013

VIRGINIA:

Exhibit A

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

Application of CNX Gas Company LLC for Forced Pooling of Interests in CBM Unit AX-133  
VGOB 08-0819-2291 in the Maiden Springs District of Tazewell County, Virginia

AFFIDAVIT OF CNX GAS COMPANY LLC (herein "Designated Operator") REGARDING  
ELECTIONS, ESCROW AND SUPPLEMENTAL ORDER

Anita D. Duty, being first duly sworn on oath, deposes and says:

That your affiant is employed by CNX Gas Company LLC, as a Pooling Supervisor and is duly  
authorized to make this affidavit on behalf of CNX GAS COMPANY LLC, the designated operator,

That the Order entered on November 4, 2009, by the Virginia Gas and Oil Board (hereinafter "Board")  
regarding the captioned CBM Unit required the Applicant to mail a true and correct copy of said Order to  
each person pooled by the Order;

That within seven (7) days of receipt of an executed copy of the Order referred to at paragraph 2. above,  
your affiant caused a true and correct copy of said Order to be mailed via the United States Postal Service  
to each Respondent named in the captioned Application, whose address was known, and to all persons, if  
any, who were added as Respondents at the hearing held in the captioned matter; that proof of such mailing  
has previously been tendered to the Division of Gas and Oil, the Office of the Gas and Oil Inspector, at  
Abingdon, Virginia;

That the Order of the Board in the captioned matter required all persons pooled thereby to tender their  
written elections to the Unit Operator within thirty (30) days of the date the Order was recorded in the  
counties identified above; that said Order was recorded on December, 18, 2009;

That the designated operator CNX GAS COMPANY LLC has established procedures to review all mail  
received and all written documents received other than by mail to ascertain whether parties whose interests  
have been pooled have made a written election, in a timely fashion, as required by the captioned Order;  
that said procedures were followed to identify the elections, if any, made with regard to the Subject Unit;  
that the following persons delivered, by mail or otherwise, written elections the Unit Operator, within the  
thirty day elections period:

None

That Respondents identified in Exhibit B-3 hereto are, having failed to make any election, deemed to  
have leased their coalbed methane rights, interests and claims to Applicant, all as provided in the Board's  
Order of November 4, 2009;

See attached Exhibit B-3

That the rights, interests and claims of the following persons are subject to escrow under the Board's  
Order pooling the captioned Unit, Board Regulations and the Code of Virginia:

See attached Exhibit E

That after the pooling hearing held in the captioned matter, the following persons have leased or entered into a voluntary agreement with the Designated Operator:

None

That to the extent any of said persons listed in Exhibit B-2 have rights, interests and claims which are subject to escrow, they should be dismissed as respondents; the Operator requests that the following persons be dismissed as Respondents:

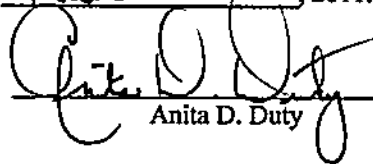
None

That the persons identified in Exhibit EE attached hereto have entered into royalty split agreements that allow the Applicant/Designated Operator to pay them directly without the need to escrow funds which would otherwise be in conflict.

See attached Exhibit EE

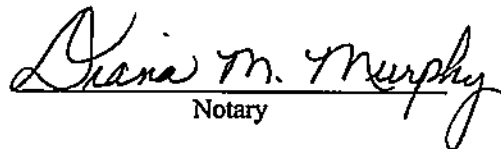
That pursuant to the provisions of VAC 25-160-70.A.10. and C. and VAC 25-160-80 the annexed supplemental order sets forth the interests and claims that require escrow of funds pursuant to Virginia Code sections 45.1-361.21.D. and 45.1-361.22.A.3. and 4.

Dated at Bluefield, West Virginia, this 9<sup>th</sup> day of March, 2011.

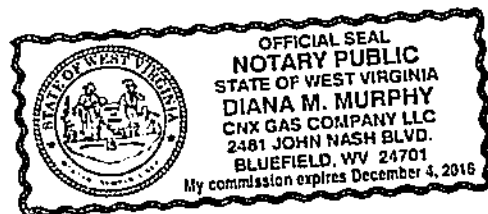
  
Anita D. Duty

STATE OF WEST VIRGINIA  
COUNTY OF MERCER

Taken, subscribed and sworn to before me by Anita D. Duty as a Pooling Supervisor for CNX Land Resources, Inc., on behalf of the corporate Designated Operator, this 9<sup>th</sup> day of March, 2011.

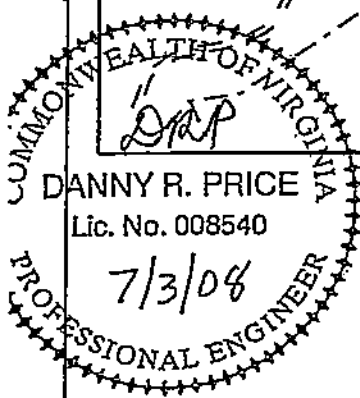
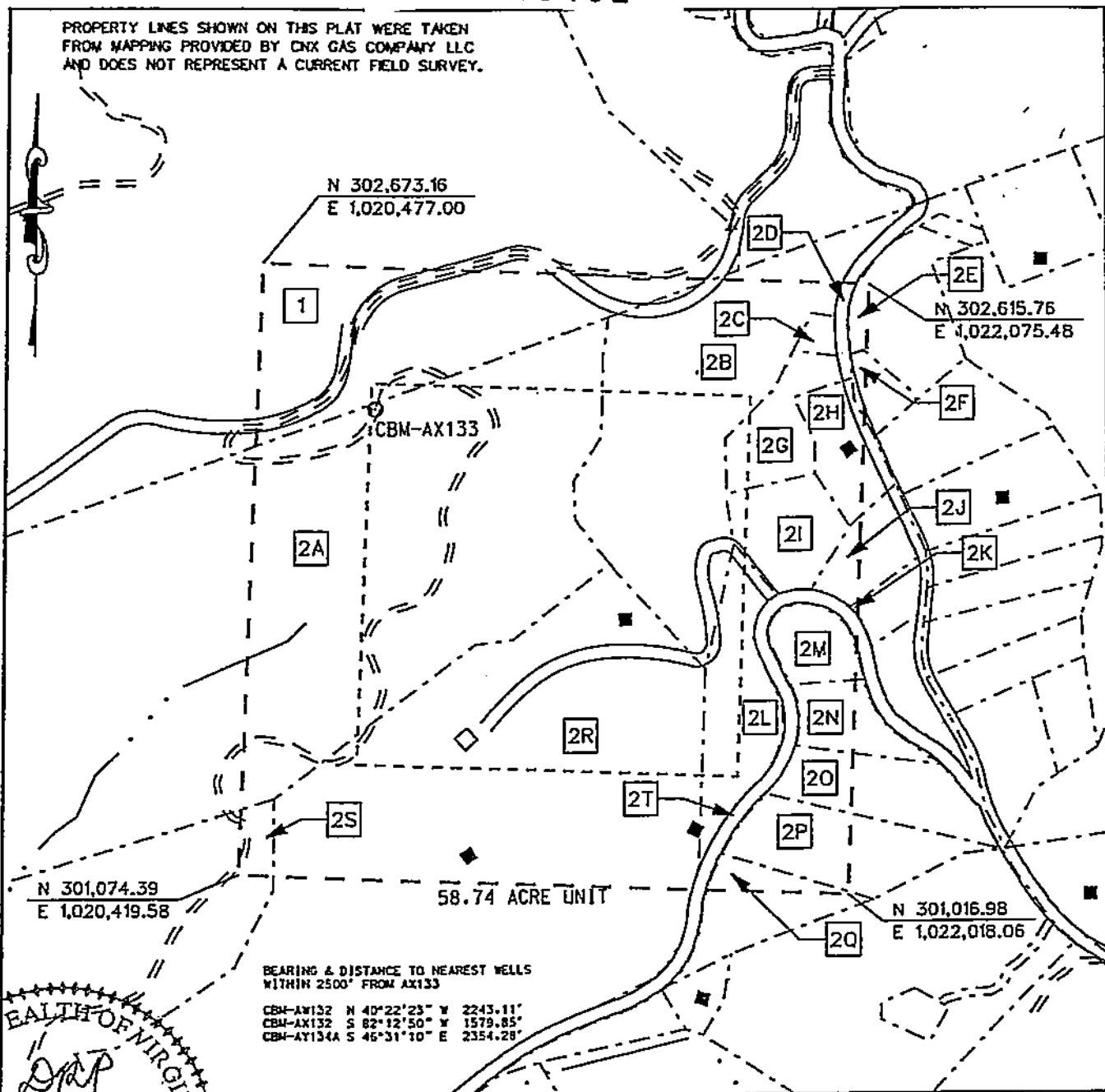
  
Notary

My commission expires: December 4, 2016



BK 1098PG0452

PROPERTY LINES SHOWN ON THIS PLAT WERE TAKEN  
FROM MAPPING PROVIDED BY CNX GAS COMPANY LLC  
AND DOES NOT REPRESENT A CURRENT FIELD SURVEY.



DANNY R. PRICE  
Lic. No. 008540

7/3/08

EXHIBIT A  
MIDDLE RIDGE FIELD  
UNIT AX-133  
FORCE POOLING  
VGOB-08-0819-2291

Company CNX Gas Company LLC Well Name and Number UNIT AX133  
Tract No. \_\_\_\_\_ Elevation \_\_\_\_\_ Quadrangle Richlands  
County Tazewell District Maiden Springs Scale: 1" = 400' Date 6/27/08  
This plat is a new plat X ; on updated plat \_\_\_\_\_ ; or a final plat 7-3-08

Form DGO-GO-7  
Rev. 9/91

Danny R. Price  
Licensed Professional Engineer or Licensed Land Surveyor

(Affix Seal)

BK 1090860153  
CNX Gas Company LLC  
Unit AX 133  
Tract Identifications  
(58.74 Acre Unit)

1. Coal Creek Coal Company, Tr. 2 (237 Acre Tract) – Coal  
Reserve Coal Properties Company – All Coal Leased  
Knox Creek Coal Company – Coal in Tiller Seam Leased  
CNX Gas Company LLC – CBM Leased  
Robin Hodges – Surface and All Minerals except Coal  
CNX Gas Company LLC – Oil, Gas and CBM Leased  
(Tax Map 085A Parcel 006-007)  
6.49 Acres 11.0487%
- 2A. Coal Creek Coal Company, Tr. 3 (620 Acre Tract) – Coal  
Reserve Coal Properties Company – All Coal Leased  
Knox Creek Coal Company – Coal in Tiller Seam Leased  
CNX Gas Company LLC – CBM Leased  
Robin Hodges – Surface and All Minerals except Coal  
CNX Gas Company LLC – Oil, Gas and CBM Leased  
(Tax Map 085A Parcel 0014)  
16.75 Acres 28.5155%
- 2B. Coal Creek Coal Company, Tr. 3 (620 Acre Tract) – Coal  
Reserve Coal Properties Company – All Coal Leased  
Knox Creek Coal Company – Coal in the Tiller Seam Leased  
CNX Gas Company LLC – CBM Leased  
Elmer Matney, et ux – Surface and all Minerals except Coal  
(Tax Map 085A Parcel 008A)  
8.18 Acres 13.9258%
- 2C. Coal Creek Coal Company, Tr. 3 (620 Acre Tract) – Coal  
Reserve Coal Properties Company – All Coal Leased  
Knox Creek Coal Company – Coal in the Tiller Seam Leased  
CNX Gas Company LLC – CBM Leased  
Emma K. Horne Heirs – Oil and Gas  
CNX Gas Company LLC – Oil, Gas and CBM Leased  
Derek W. Smith, et ux – Surface  
(Tax Map 085A-02 Parcel 0001-0002)  
0.20 Acres 0.3405%
- 2D. Coal Creek Coal Company, Tr. 3 (620 Acre Tract) – Coal  
Reserve Coal Properties Company – All Coal Leased  
Knox Creek Coal Company – Coal in the Tiller Seam Leased  
CNX Gas Company LLC – CBM Leased  
Commonwealth of Virginia – Surface and All Minerals except Coal  
(Tax Map 085 Parcel 0000)  
0.20 Acres 0.3405%
- 2E. Coal Creek Coal Company, Tr. 3 (620 Acre Tract) – Coal  
Reserve Coal Properties Company – All Coal Leased  
Knox Creek Coal Company – Coal in the Tiller Seam Leased  
CNX Gas Company LLC – CBM Leased  
Billy E. Shelton, II, et ux – Surface and all Minerals except Coal  
(Tax Map 085-03 Parcel 0001)  
0.19 Acres 0.3235%



6K1098PG0454 CNX Gas Company LLC

Unit AX 133

Tract Identifications

(58.74 Acre Unit)

- 2F. Coal Creek Coal Company, Tr. 3 (620 Acre Tract) – Coal  
Reserve Coal Properties Company – All Coal Leased  
Knox Creek Coal Company – Coal in the Tiller Seam Leased  
CNX Gas Company LLC – CBM Leased  
Don Cox – Surface and all Minerals except Coal  
(Tax Map 085-03 Parcel 000A)  
0.12 Acres 0.2043%
- 2G. Coal Creek Coal Company, Tr. 3 (620 Acre Tract) – Coal  
Reserve Coal Properties Company – All Coal Leased  
Knox Creek Coal Company – Coal in the Tiller Seam Leased  
CNX Gas Company LLC – CBM Leased  
Emma K. Horne Heirs – Oil and Gas  
CNX Gas Company LLC – Oil, Gas and CBM Leased  
Delmer C. Smith, et ux – Surface  
(Tax Map 085-002 Parcel 0001-0002)  
1.37 Acres 2.3323%
- 2H. Coal Creek Coal Company, Tr. 3 (620 Acre Tract) – Coal  
Reserve Coal Properties Company – All Coal Leased  
Knox Creek Coal Company – Coal in the Tiller Seam Leased  
CNX Gas Company LLC – CBM Leased  
Terry Tackett, et ux – Surface and all Minerals except Coal  
(Tax Map 085-002 Parcel 0001-0002)  
0.95 Acres 1.6173%
- 2I. Coal Creek Coal Company, Tr. 3 (620 Acre Tract) – Coal  
Reserve Coal Properties Company – All Coal Leased  
Knox Creek Coal Company – Coal in the Tiller Seam Leased  
CNX Gas Company LLC – CBM Leased  
Emma K. Horne Heirs – Oil and Gas  
CNX Gas Company, LLC – Oil, Gas and CBM Leased  
Ronald Whitt, et ux – Surface  
(Tax Map 085-002 Parcel 0001-0002)  
1.58 Acres 2.6898%
- 2J. Coal Creek Coal Company, Tr. 3 (620 Acre Tract) – Coal  
Reserve Coal Properties Company – All Coal Leased  
Knox Creek Coal Company – Coal in the Tiller Seam Leased  
CNX Gas Company LLC – CBM Leased  
Emma K. Horne Heirs – Oil and Gas  
CNX Gas Company LLC – Oil, Gas and CBM Leased  
Milton M. Smith, et ux – Surface  
(Tax Map 085-002 Parcel 0001-0002)  
0.35 Acres 0.5958%
- 2K. Coal Creek Coal Company, Tr. 3 (620 Acre Tract) – Coal  
Reserve Coal Properties Company – All Coal Leased  
Knox Creek Coal Company – Coal in the Tiller Seam Leased  
CNX Gas Company LLC – CBM Leased  
Isiac Franklin Cantrell – Surface and all Minerals except Coal  
(Tax Map 085-03 Parcel 0008)  
0.01 Acres 0.0170%

6K1098PG0455 **CNX Gas Company LLC**  
Unit AX 133  
Tract Identifications  
(58.74 Acre Unit)

- 2L. Coal Creek Coal Company, Tract 3 (620 Acre Tract) – Coal  
Reserve Coal Properties Company – All Coal Leased  
Knox Creek Coal Company – Coal in Tiller Seam Leased  
CNX Gas Company LLC – CBM Leased  
Kenneth Anders – Surface and all Minerals except Coal  
(Tax Map 085-A Parcel 0018)  
2.37 Acres 4.0347%
- 2M. Coal Creek Coal Company, Tr. 3 (620 Acre Tract) – Coal  
Reserve Coal Properties Company – All Coal Leased  
Knox Creek Coal Company – Coal in the Tiller Seam Leased  
CNX Gas Company LLC – CBM Leased  
Emma K. Horne Heirs – Oil and Gas  
CNX Gas Company LLC – Oil, Gas and CBM Leased  
Sherman Fuller – Surface  
(Tax Map 087-AA Parcel 0001)  
0.88 Acres 1.4981%
- 2N. Coal Creek Coal Company, Tr. 3 (620 Acre Tract) – Coal  
Reserve Coal Properties Company – All Coal Leased  
Knox Creek Coal Company – Coal in the Tiller Seam Leased  
CNX Gas Company LLC – CBM Leased  
Emma K. Horne Heirs – Oil and Gas  
CNX Gas Company LLC – Oil, Gas and CBM Leased  
Larry Mullins, Sr. – Surface  
(Tax Map 087-AA Parcel 0001)  
0.60 Acres 1.0215%
- 2O. Coal Creek Coal Company, Tr. 3 (620 Acre Tract) – Coal  
Reserve Coal Properties Company – All Coal Leased  
Knox Creek Coal Company – Coal in the Tiller Seam Leased  
CNX Gas Company LLC – CBM Leased  
Emma K. Horne Heirs – Oil and Gas  
CNX Gas Company LLC – Oil, Gas and CBM Leased  
Gregory S. Rowe, et ux – Surface  
(Tax Map 085-04 Parcel 0010)  
0.60 Acres 1.0215%
- 2P. Coal Creek Coal Company, Tr. 3 (620 Acre Tract) – Coal  
Reserve Coal Properties Company – All Coal Leased  
Knox Creek Coal Company – Coal in the Tiller Seam Leased  
CNX Gas Company LLC – CBM Leased  
Emma K. Horne Heirs – Oil and Gas  
CNX Gas Company LLC – Oil, Gas and CBM Leased  
Clement A. Stanley, et ux – Surface  
(Tax Map 085-04 Parcel 0011)  
1.28 Acres 2.1791%

BK 1098860456

**CNX Gas Company LLC**

**Unit AX 133**

**Tract Identifications  
(58.74 Acre Unit)**

- 2Q. Coal Creek Coal Company, Tr. 3 (620 Acre Tract) – Coal  
Reserve Coal Properties Company – All Coal Leased  
Knox Creek Coal Company – Coal in the Tiller Seam Leased  
CNX Gas Company LLC – CBM Leased  
Wanda McGlothlin, et al – Oil and Gas  
CNX Gas Company LLC – Oil, Gas and CBM Leased  
Michelle Varney – Surface  
(Tax Map 085-04 Parcel 0012)  
0.43 Acres 0.7320%
- 2R. Coal Creek Coal Company, Tr. 3 (620 Acre Tract) – Coal  
Reserve Coal Properties Company – All Coal Leased  
Knox Creek Coal Company – Coal in the Tiller Seam Leased  
CNX Gas Company LLC – CBM Leased  
Ronnie W. Shelton, et al – Surface and all Minerals except Coal  
(Tax Map 085-A Parcel 0010)  
14.78 Acres 25.1617%
- 2S. Coal Creek Coal Company, Tr. 3 (620 Acre Tract) – Coal  
Reserve Coal Properties Company – All Coal Leased  
Knox Creek Coal Company – Coal in the Tiller Seam Leased  
CNX Gas Company LLC – CBM Leased  
Clement A. Smith, et al – Surface and all Minerals except Coal  
CNX Gas Company LLC – Oil, Gas and CBM Leased  
(Tax Map 085A Parcel 0014)  
0.39 Acres 0.6639%
- 2T. Coal Creek Coal Company, Tr. 3 (620 Acre Tract) – Coal  
Reserve Coal Properties Company – All Coal Leased  
Knox Creek Coal Company – Coal in the Tiller Seam Leased  
CNX Gas Company LLC – CBM Leased  
Commonwealth of Virginia – Surface and All Minerals except Coal  
(Tax Map 085A Parcel 0000)  
1.02 Acres 1.7365%

Exhibit B-3  
Unit AX-133  
Docket #VGOB 08-0819-2291  
List of all Unleased Owners/Claimants  
(58.74 Acre Unit)

	Acres in Unit	Interest in Unit
<b>II. <u>OIL &amp; GAS OWNERSHIP</u></b>		
<b><u>Tract #2B, 8.18 acres</u></b>		
(1) Elmer W. Matney, et ux. c/o Virginia M. Woofler 18 Primrose Drive Spartansburg, SC 29301	8.18 acres	13.9258%
<b><u>Tract #2D, 0.20 acres</u></b>		
(1) Commonwealth of Virginia Department of Transportation 870 Bonham Road Bristol, VA 24201-2002	0.20 acres	0.3405%
<b><u>Tract #2E, 0.19 acres</u></b>		
(1) Billy E. Shelton, II, et ux. 115 Bobcat Lane Raven, VA 24639	0.19 acres	0.3235%
<b><u>Tract #2F, 0.12 acres</u></b>		
(1) Don Cox 2816 Red Root Ridge Road Raven, VA 24639	0.12 acres	0.2043%
<b><u>Tract #2H, 0.95 acres</u></b>		
(1) Terry Tackett, et ux 3220 Dismal River Rd. Oakwood, VA 24631	0.95 acres	1.6173%
<b><u>Tract #2K, 0.01 acres</u></b>		
(1) Isaac Franklin Cantrell P.O. Box 336 Raven, VA 24631	0.01 acres	0.0170%
<b><u>Tract #2R, 14.78 acres</u></b>		
(1) Ronnie W. Shelton, et al. c/o Ronnie Shelton P.O. Box 58 Doran, VA 24612	14.78 acres	25.1617%
<b><u>Tract #2T, 1.02 acres</u></b>		
(1) Commonwealth of Virginia Department of Transportation 870 Bonham Road Bristol, VA 24201-2002	1.02 acres	1.7365%

Exhibit E  
Unit AX-133  
Docket #VGOB 08-0819-2291  
List of Conflicting Owners/Claimants that require escrow  
(58.74 Acre Unit)

6K103SPG0458

	Acres in Unit	Interest in Unit
<u>Tract #2B, 8.18 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Coal Creek Coal Company, Tr.3 P.O. Box 323 Tazewell, VA 24651 (620 Acre Tract)	8.18 acres	13.9258%
<u>OIL &amp; GAS OWNERSHIP</u>		
(1) Elmer W. Matney, et ux. c/o Virginia M. Woofert 18 Primrose Drive Spartansburg, SC 29301	8.18 acres	13.9258%
<u>Tract #2C, 0.20 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Coal Creek Coal Company, Tr.3 P.O. Box 323 Tazewell, VA 24651 (620 Acre Tract)	0.20 acres	0.3405%
<u>OIL &amp; GAS OWNERSHIP</u>		
(1) Emma K. Home 400 Stone Pass Drive Fuquay Varina, NC 27826	0.20 acres	0.3405%
<u>Tract #2D, 0.20 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Coal Creek Coal Company, Tr.3 P.O. Box 323 Tazewell, VA 24651 (620 Acre Tract)	0.20 acres	0.3405%
<u>OIL &amp; GAS OWNERSHIP</u>		
(1) Commonwealth of Virginia Department of Transportation 870 Bonham Road Bristol, VA 24201-2002	0.20 acres	0.3405%
<u>Tract #2E, 0.19 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Coal Creek Coal Company, Tr.3 P.O. Box 323 Tazewell, VA 24651 (620 Acre Tract)	0.19 acres	0.3235%
<u>OIL &amp; GAS OWNERSHIP</u>		
(1) Billy E. Shelton, II, et ux. 115 Bobcat Lane Raven, VA 24639	0.19 acres	0.3235%

13

Exhibit E  
Unit AX-133  
Docket #VGOB 08-0819-2291  
List of Conflicting Owners/Claimants that require escrow  
(58.74 Acre Unit)

6K1098PG0459

	Acres in Unit	Interest in Unit
<u>Tract #2F, 0.12 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Coal Creek Coal Company, Tr.3 P.O. Box 323 Tazewell, VA 24651 (620 Acre Tract)	0.12 acres	0.2043%
<u>OIL &amp; GAS OWNERSHIP</u>		
(1) Don Cox 2816 Red Root Ridge Road Raven, VA 24639	0.12 acres	0.2043%
<u>Tract #2G, 1.37 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Coal Creek Coal Company, Tr.3 P.O. Box 323 Tazewell, VA 24651 (620 Acre Tract)	1.37 acres	2.3323%
<u>OIL &amp; GAS OWNERSHIP</u>		
(1) Emma K. Horne 400 Stone Pass Drive Fuquay Varina, NC 27826	1.37 acres	2.3323%
<u>Tract #2H, 0.95 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Coal Creek Coal Company, Tr.3 P.O. Box 323 Tazewell, VA 24651 (620 Acre Tract)	0.95 acres	1.6173%
<u>OIL &amp; GAS OWNERSHIP</u>		
(1) Terry Tackett, et ux 3220 Dismal River Rd. Oakwood, VA 24631	0.95 acres	1.6173%
<u>Tract #2I, 1.58 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Coal Creek Coal Company, Tr.3 P.O. Box 323 Tazewell, VA 24651 (620 Acre Tract)	1.58 acres	2.6898%
<u>OIL &amp; GAS OWNERSHIP</u>		
(1) Emma K. Horne 400 Stone Pass Drive Fuquay Varina, NC 27826	1.58 acres	2.6898%

14

Exhibit E  
Unit AX-133  
Docket #VGOB 08-0819-2291  
List of Conflicting Owners/Claimants that require escrow  
(58.74 Acre Unit)

BK 1098PG0460

	Acres in Unit	Interest in Unit
<u>Tract #2J, 0.35 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Coal Creek Coal Company, Tr.3 P.O. Box 323 Tazewell, VA 24651 (620 Acre Tract)	0.35 acres	0.5958%
<u>OIL &amp; GAS OWNERSHIP</u>		
(1) Emma K. Home 400 Stone Pass Drive Fuquay Varina, NC 27826	0.35 acres	0.5958%
<u>Tract #2K, 0.01 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Coal Creek Coal Company, Tr.3 P.O. Box 323 Tazewell, VA 24651 (620 Acre Tract)	0.01 acres	0.0170%
<u>OIL &amp; GAS OWNERSHIP</u>		
(1) Isiac Franklin Cantrell P.O. Box 336 Raven, VA 24631	0.01 acres	0.0170%
<u>Tract #2M, 0.88 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Coal Creek Coal Company, Tr.3 P.O. Box 323 Tazewell, VA 24651 (620 Acre Tract)	0.88 acres	1.4981%
<u>OIL &amp; GAS OWNERSHIP</u>		
(1) Emma K. Home 400 Stone Pass Drive Fuquay Varina, NC 27826	0.88 acres	1.4981%
<u>Tract #2N, 0.60 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Coal Creek Coal Company, Tr.3 P.O. Box 323 Tazewell, VA 24651 (620 Acre Tract)	0.60 acres	1.0215%
<u>OIL &amp; GAS OWNERSHIP</u>		
(1) Emma K. Home 400 Stone Pass Drive Fuquay Varina, NC 27826	0.60 acres	1.0215%

15

Exhibit E  
Unit AX-133  
Docket #VGOB 08-0819-2291  
List of Conflicting Owners/Claimants that require escrow  
(58.74 Acre Unit)

BK1093PG0461

	Acres in Unit	Interest in Unit
<u>Tract #2O, 0.60 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Coal Creek Coal Company, Tr.3 P.O. Box 323 Tazewell, VA 24651 (620 Acre Tract)	0.60 acres	1.0215%
<u>OIL &amp; GAS OWNERSHIP</u>		
(1) Emma K. Home 400 Stone Pass Drive Fuquay Varina, NC 27826	0.60 acres	1.0215%
<u>Tract #2P, 1.28 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Coal Creek Coal Company, Tr.3 P.O. Box 323 Tazewell, VA 24651 (620 Acre Tract)	1.28 acres	2.1791%
<u>OIL &amp; GAS OWNERSHIP</u>		
(1) Emma K. Home 400 Stone Pass Drive Fuquay Varina, NC 27826	1.28 acres	2.1791%
<u>Tract #2Q, 0.43 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Coal Creek Coal Company, Tr.3 P.O. Box 323 Tazewell, VA 24651 (620 Acre Tract)	0.43 acres	0.7320%
<u>OIL &amp; GAS OWNERSHIP</u>		
(1) Emma K. Home 400 Stone Pass Drive Fuquay Varina, NC 27826	0.43 acres	0.7320%
<u>Tract #2R, 14.78 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Coal Creek Coal Company, Tr.3 P.O. Box 323 Tazewell, VA 24651 (620 Acre Tract)	14.78 acres	25.1617%
<u>OIL &amp; GAS OWNERSHIP</u>		
(1) Ronnie W. Shelton, et al. c/o Ronnie Shelton P.O. Box 58 Doran, VA 24612	14.78 acres	25.1617%

14



Exhibit E  
Unit AX-133  
Docket #VGOB 08-0819-2291  
List of Conflicting Owners/Claimants that require escrow  
(58.74 Acre Unit)

BK1098PG0462

	Acres in Unit	Interest in Unit
<u>Tract #2T, 1.02 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Coal Creek Coal Company, Tr.3 P.O. Box 323 Tazewell, VA 24651 (620 Acre Tract)	1.02 acres	1.7365%
<u>OIL &amp; GAS OWNERSHIP</u>		
(1) Commonwealth of Virginia Department of Transportation 870 Bonham Road Bristol, VA 24201-2002	1.02 acres	1.7365%

17

Exhibit EE  
Unit AX-133  
Docket #VGOB 08-0819-2291  
List of Conflicting Owners/Claimants with Royalty Split Agreements  
(58.74 Acre Unit)

BK 1098PG0463

	Acres in Unit	Interest In Unit
<u>Tract #1, 6.49 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Coal Creek Coal Company, Tr.2 P.O. Box 323 Tazewell, VA 24651	6.49 acres	11.0487%
<u>OIL &amp; GAS OWNERSHIP</u>		
(1) Robin Hodges PO Box 1480 Bassett, VA 24055-4999 <i>The Royalty Division Order is 7/8 - R. Hodges and 1/8 Coal Creek</i>	6.49 acres	11.0487%
<u>Tract #2A, 16.75 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Coal Creek Coal Company, Tr.3 P.O. Box 323 Tazewell, VA 24651	16.75 acres	28.5155%
<u>OIL &amp; GAS OWNERSHIP</u>		
(1) Robin Hodges PO Box 1480 Bassett, VA 24055-4999 <i>The Royalty Division Order is 7/8 - R. Hodges and 1/8 Coal Creek</i>	16.75 acres	28.5155%
<u>Tract #2L, 2.37 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Coal Creek Coal Company, Tr.3 P.O. Box 323 Tazewell, VA 24651	2.37 acres	4.0347%
<u>OIL &amp; GAS OWNERSHIP</u>		
(1) Kenneth Anders P.O. Box 558 Doran, VA 24612	2.37 acres	4.0347%
<u>Tract #2S, 0.39 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Coal Creek Coal Company, Tr.3 P.O. Box 323 Tazewell, VA 24651	0.39 acres	0.6639%
<u>OIL &amp; GAS OWNERSHIP</u>		
(1) Clement Smith * R.D. Smith Estate c/o Robin Hodges P.O. Box 1480 Bassett, VA 24055-4999	0.39 acres	0.6639%

*Requests royalties to be paid to his daughter:*

Carolyn F. Horton  
2872 Horton Ridge Road  
Swords Creek, VA 24649

*The Royalty Division Order is 7/8 - C. Smith and 1/8 Coal Creek  
Robin Hodges (prev. Triple R) receives 10% of the royalty due to the owner*

INSTRUMENT #110002492  
RECORDED IN THE CLERK'S OFFICE OF  
TAEWELL COUNTY ON  
JULY 29, 2011 AT 04:26PM  
JAMES E. BLEVINS, CLERK  
RECORDED BY: ADR

18